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8 IN THE UNITED STATES DISTRICT COURT FOR THE
9 EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,
11 Plaintiff,

12 v.

13 APPROXIMATELY \$6,161.00 IN U.S.
14 CURRENCY,

15 Defendant.

16
17 JOHN HAYES, JR.

18 Claimant.

CIV-S-03-1264 DFL/PAN

FINAL JUDGMENT OF FORFEITURE

19 Pursuant to the Stipulation for Final Judgment of Forfeiture, the
20 Court finds:

21 1. That this is a civil forfeiture action against approximately
22 \$6,161.00 in U.S. Currency (hereinafter "defendant currency") seized
23 on September 18, 2002.

24 2. That a Complaint for Forfeiture In Rem was filed on June 13,
25 2003, seeking the forfeiture of the defendant currency, alleging that
26 said currency is subject to forfeiture to the United States pursuant
27 to 21 U.S.C. § 881(a) (6).
28

1 3. That on or about June 13, 2003, the Court issued a warrant
2 of arrest in rem for the defendant currency, and that warrant was duly
3 executed.

4 4. That on July 2, 2003, a Public Notice of Arrest of defendant
5 currency appeared by publication in The Auburn Journal, a newspaper
6 of general circulation in the county in which defendant currency was
7 seized (Placer County). The Proof of Publication was filed with the
8 Court on July 29, 2003.

9 5. That in addition to the Public Notice of Arrest having been
10 completed, actual notice was acknowledged by John Hayes, Jr. The
11 United States also attempted to provide direct notice to John Hayes,
12 Sr., but was advised that he had passed away.

13 6. That on or about July 10, 2003, claimant John Hayes, Jr.,
14 filed a claim to defendant currency. On or about July 29, 2003,
15 claimant Hayes filed an answer.

16 7. That no other parties have filed claims or answers in this
17 matter and the time for which any person or entity may file a claim
18 and answer has expired.

19 Based on the above findings, and the Court being otherwise
20 fully advised in the premises, it is hereby

21 ORDERED AND ADJUDGED:

22 1. That the Court adopts the Stipulation for Final Judgment of
23 Forfeiture entered into by and between the parties to this action.

24 2. That upon entry of a Final Judgment of Forfeiture, \$3,080.50
25 of the approximately \$6,161.00 in U.S. Currency, together with any
26 interest that may have accrued on that amount, seized on or about
27 September 18, 2002, shall be forfeited to the United States pursuant
28 to 21 U.S.C. § 881(a)(6), to be disposed of according to law.

CERTIFICATE OF PROBABLE CAUSE

Based upon the allegations set forth in the Complaint for Forfeiture *In Rem* and the Stipulation for Final Judgment of Forfeiture, the Court enters this Certificate of Probable Cause pursuant to 28 U.S.C. § 2465, certifying that there was probable cause for the seizure of defendant currency.

DATED: 12/6/2005

/s/ David F. Levi
DAVID F. LEVI
United States District Judge